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AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions and listings of claims in the application:

Claim 1 (withdrawn): A method for the prophylaxis or treatment of a viral infection in a subject, comprising administering to a subject in need of such treatment a therapeutically effective amount of at least one pharmacologically acceptable oligonucleotide at least 10 nucleotides in length, wherein the anti-viral activity of said oligonucleotide occurs principally by a non-sequence complementary mode of action, and wherein the virus is different from HIV-1, HIV-2, HSV-1, HSV-2, CMV, RSV, parainfluenza virus, and HBV.

Claim 2 (withdrawn): The method of claim 1, wherein said subject is a human.

Claim 3 (withdrawn): The method of claim 1, wherein said virus is a retroviridae.

Claim 4 (withdrawn): The method of claim 1, wherein said virus is a herpesviridae.

Claim 5 (withdrawn): The method of claim 1, wherein said virus is a hepadnaviridae.

Claim 6 (withdrawn): The method of claim 1, wherein said virus is a paramyxoviridae.

Claim 7 (withdrawn): The method of claim 1, wherein said virus is a parvoviridae.

Claim 8 (withdrawn): The method of claim 1, wherein said virus is a poxviridae.

Claim 9 (withdrawn): The method of claim 1, wherein said virus is a papillomaviridae.

Claim 10 (withdrawn): The method of claim 1, wherein said virus is an adenoviridae.

Claim 11 (withdrawn): The method of claim 1, wherein said virus is a bunyaviridae.

Claim 12 (withdrawn): The method of claim 1, wherein said virus is a picornaviridae.

Claim 13 (withdrawn): The method of claim 1, wherein said virus is a flaviviridae.

Claim 14 (withdrawn): The method of claim 1, wherein said virus is a filoviridae.

Claim 15 (withdrawn): The method of claim 1, wherein said virus is a orthomyxoviridae.

Claim 16 (withdrawn): The method of claim 1, wherein said virus is a togaviridae.

Claim 17 (withdrawn): The method of claim 1, wherein said virus is a coronaviridae.

Claim 18 (withdrawn): The method of claim 1, wherein said virus is a reoviridae.

Claim 19 (withdrawn): The method of claim 1, wherein said virus is a rhabdoviridae.

Claim 20 (withdrawn): The method of claim 1, wherein said virus is a arenaviridae.

Claim 21 (withdrawn): The method of claim 1, wherein said virus is a calciviridae.

Claim 22 (withdrawn): An antiviral pharmaceutical composition comprising a therapeutically effective amount of at least one pharmacologically acceptable, antiviral oligonucleotide at least 10 nucleotides in length, wherein said composition is approved for use in humans against a target virus, and the antiviral activity of said oligonucleotide occurs principally by a non-sequence complementary mode of action, and said target virus is different from HIV-1, HIV-2, HSV-1, HSV-2, CMV, RSV, parainfluenza virus, and HBV; and a pharmaceutically acceptable carrier.

Claim 23 (withdrawn): The antiviral pharmaceutical composition of claim 22, adapted for delivery by oral ingestion.

Claim 24 (withdrawn): The antiviral pharmaceutical composition of claim 22, adapted for delivery enterally.

Claim 25 (withdrawn): The antiviral pharmaceutical composition of claim 22, adapted for delivery by injection.

Claim 26 (withdrawn): The antiviral pharmaceutical composition of claim 22, adapted for delivery by inhalation.

Claim 27 (withdrawn): The antiviral pharmaceutical composition of claim 22, adapted for delivery topically.

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Claim 28 (withdrawn): The antiviral pharmaceutical composition of claim 22, wherein said composition further comprises a delivery system.

Claim 29 (withdrawn): The antiviral pharmaceutical composition of claim 22, wherein said composition further comprises a liposomal formulation.

Claim 30 (withdrawn): The antiviral pharmaceutical composition of claim 22, wherein said composition further comprises at least one other antiviral drug in combination.

Claim 31 (withdrawn): A kit comprising at least one anti-viral oligonucleotide or anti-viral oligonucleotide formulation in a labeled package, wherein said oligonucleotide is at least 10 nucleotides in length, the anti-viral activity of said oligonucleotide occurs principally by a non-sequence complementary mode of action, and the label on said package indicates that said anti-viral oligonucleotide can be used against a target virus different from HIV-1, HIV-2, HSV-1, HSV-2, CMV, RSV, parainfluenza virus, and HBV.

Claim 32 (withdrawn): The kit of claim 31, wherein said kit is approved by a regulatory agency for use in humans.

Claim 33 (withdrawn): The method, pharmaceutical composition, or kit of claim 1, 22, or 31, wherein said at least one antiviral oligonucleotide comprises at least one antiviral randomer oligonucleotide.

Claim 34 (withdrawn): The method, pharmaceutical composition, or kit of claim 1, 22, or 31, wherein said oligonucleotide is not complementary to any portion of the genomic sequence of said target virus.

Claim 35 (withdrawn): The method, pharmaceutical composition, or kit of claim 1, 22, or 31, wherein said formulation has an $1C_{50}$ for said target virus of 0.10 μM or less.

Claim 36 (withdrawn): The method, pharmaceutical composition, or kit of claim 1, 22, or 31, wherein said oligonucleotide s at least 40 nucleotides in length.

Claim 37 (withdrawn): The method, pharmaceutical composition, or kit of claim 1, 22, or 31, wherein each said oligonucleotide comprises at least one modification to its chemical structure.

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Claim 38 (withdrawn): The method, pharmaceutical composition, or kit of claim 1, 22, or 31, wherein each said oligonucleotide comprises at least one phosphorothioated linkage.

Claim 39 (withdrawn): The method, pharmaceutical composition, or kit of claim 1, 22, or 31, wherein each said oligonucleotide comprises at least one phosphorothioated linkage and is in a formulation comprising a delivery system.

Claim 40 (withdrawn): The method, pharmaceutical composition, or kit of claim 1, 22, or 31, wherein each said oligonucleotide comprises at least one 2'- modification to the ribose moiety.

Claim 41 (withdrawn): The method, pharmaceutical composition, or kit of claim 1, 22, or 31, wherein each said oligonucleotide comprises at least one methylphosphonate linkage.

Claim 42 (withdrawn): The method, pharmaceutical composition, or kit of claim 1, 22, or 31, wherein each said oligonucleotide comprises at least one phosphorodithioated linkage.

Claim 43 (withdrawn): The method, pharmaceutical composition, or kit of claim 1, 22, or 31, wherein each said oligonucleotide comprises at least one phosphorodithioated linkage and is in a formulation comprising a delivery system.

Claim 44 (withdrawn): The method, pharmaceutical composition, or kit of claim 1, 22, or 31, wherein said oligonucleotide is a concatemer consisting of two or more oligonucleotide sequences joined by a linker.

Claim 45 (withdrawn): The method, pharmaceutical composition, or kit of claim 1, 22, or 31, wherein said oligonucleotide is linked or conjugated at one or more nucleotide residues, to a molecule modifying the characteristics of the oligonucleotide to obtain one or more characteristics selected from the group consisting of higher stability, lower serum interaction, higher cellular uptake, higher viral protein interaction, an improved ability to be formulated for delivery, a detectable signal, higher antiviral activity, better pharmacokinetic properties, specific tissue distribution, lower toxicity.

Claim 46 (withdrawn): The method, pharmaceutical composition, or kit of claim 1, 22, or 31, wherein said oligonucleotide is double stranded.

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Claim 47 (withdrawn): The method, pharmaceutical composition, or kit of claim 1, 22, or 31, wherein said oligonucleotide binds to one or more viral components.

Claim 48 (withdrawn): The method, pharmaceutical composition, or kit of claim 1, 22, or 31, wherein at least a portion of the sequence of said oligonucleotide is derived from a viral genome.

Claim 49 (withdrawn): The method, pharmaceutical composition, or kit of claim 1, 22, or 31, comprising a mixture of at least two different antiviral oligonucleotides.

Claim 50 (withdrawn): The method, pharmaceutical composition, or kit of claim 49, wherein a plurality of said different oligonucleotides are at least 10 nucleotides in length.

Claim 51 (withdrawn): The method, pharmaceutical composition, or kit of claim 49, wherein a plurality of said different oligonucleotides are at least 40 nucleotides in length.

Claim 52 (currently amended): A method for selecting an antiviral oligonucleotide for use as an anti-viral agent against a target virus ~~different from~~ and not targeting HIV-1, HIV-2, HSV-1, HSV-2, CMV, RSV, parainfluenza virus, influenza virus, and HBV, comprising synthesizing a plurality of different oligonucleotides, wherein the anti-viral activity of said oligonucleotide occurs principally by a non-sequence complementary mode of action, and wherein at least one of said different oligonucleotides is at least 10 nucleotides in length; testing said oligonucleotides for activity in inhibiting the ability of said target virus to produce infectious virions, selecting a said oligonucleotide having a pharmaceutically acceptable level of activity for use as an anti-viral agent.

Claim 53 (original): The method of claim 52, wherein said different oligonucleotides comprise randomers of different lengths.

Claim 54 (original): The method of claim 52, wherein said different oligonucleotides comprise a set of oligonucleotides of different length, each oligonucleotide in said set comprising the sequence of the shortest oligonucleotide in said set.

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Claim 55 (original): The method of claim 52, wherein said different oligonucleotides comprise a plurality of oligonucleotides comprising a randomer segment at least 6 nucleotides in length.

Claim 56 (original): The method of claim 52, wherein said different oligonucleotides are not complementary to any mRNA sequence of said target virus.

Claim 57 (withdrawn): 57. A method for the prophylaxis or treatment of a viral infection in a subject, comprising administering to a subject in need of such treatment a therapeutically effective amount of at least one pharmacologically acceptable oligonucleotide randomer at least 10 nucleotides in length, wherein the anti-viral activity of said randomer occurs principally by a non-sequence complementary mode of action, wherein the virus is different from HIV-1, HIV-2, HSV-1, HSV-2, CMV, RSV, parainfluenza virus, and HBV.